

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

SHETEL INDUSTRIES LLC,

Plaintiff,

vs.

ADIN DENTAL IMPLANT SYSTEMS,
INC., ADIN DENTAL SOLUTIONS USA,
INC., and JEREMY DANZER,

Defendants.

Case No.: 2:17-cv-02505-LDW-ARL

ADIN DENTAL IMPLANT SYSTEMS, INC.,
ADIN DENTAL SOLUTIONS USA, INC.,
and JEREMY DANZER,

Counterclaimants and Third-Party Plaintiffs,

vs.

SHETEL INDUSTRIES LLC, OSSEOGROUP
LLC, and MARKUS WEITZ as Director and
President of SHETEL INDUSTRIES LLC, and
Individually,

Counterclaim and Third-Party Defendants.

DECLARATION OF MATTHEW J. ROSS
IN SUPPORT OF DEFENDANTS' BRIEF IN RESPONSE TO THE MOTION FOR
SUMMARY JUDGMENT OF PLAINTIFF AND THIRD-PARTY DEFENDANTS

I, Matthew J. Ross, hereby declare as follows:

1. I am an attorney duly authorized to practice law in the State of New York and admitted to practice before the United States District Court of the Eastern District of New York. I am a partner with the law firm Mueller Law Group, counsel for the Defendants,

Counterclaimants, and Third-Party Plaintiffs, Adin Dental Implant Systems, Inc. (“Adin”), Adin Dental Solutions USA, Inc. (“Adin USA”), and Jeremy Danzer (“Mr. Danzer”) (collectively, “Defendants”), in the above-captioned matter. I respectfully submit this declaration in opposition to the motion of Plaintiffs and Third-Party Defendants, Shetel Industries LLC, Osseogroup LLC, and Markus Weitz (“Shetel Parties”) for summary judgment.

2. In discovery, the Shetel Parties produced one QuickBooks file; herein, several exhibits were obtained from said file, and will be designated as such.

3. Further, in discovery, the Shetel Parties have produced spreadsheets that purported to provide each catalog number, lot number, and invoice number for every product that Shetel and/or Osseogroup ever sold. The information for non-Adin products were redacted. True and correct copies of the spreadsheets are attached *infra* as Exhibit “59” and “60”; however, specific portions are attached hereto in the following exhibits and have been specifically identified as such.

4. These spreadsheets produced by the Shetel appear to provide the only means of differentiating products manufactured by Adin from those manufactured by third-parties.

5. The Shetel Parties also produced a QuickBooks file that purports to contain unredacted copies of every invoice issued by Shetel and Osseogroup.

6. When redacted entries from the aforesaid spreadsheets are compared with the unredacted invoices from the aforesaid QuickBooks file, it is possible to determine each instance in which Shetel has admitted to filling an order for an Adin product with a product that was manufactured by a third-party.

7. Using this same process, it is possible to exclude from consideration those products distributed by Shetel that were unrelated to dental implants such as bone.

8. Comparison of the redacted spreadsheets and the unredacted invoices established approximately 558 instances of the Shetel Parties filling orders for products from Adin Israel with products manufactured by third-parties. Further, the invoices from the QuickBooks file produced by the Shetel Parties used Adin's catalog numbers to identify both genuine products from Adin Israel and the products manufactured by third-parties.

9. Attached hereto as Exhibit "1", is a true and correct copy of invoice 4274 dated August 1, 2014, which was obtained from the Shetel Parties' QuickBooks file.

10. Attached hereto as Exhibit "2", is a true and correct copy of the portion of the spreadsheets produced by the Shetel Parties and referenced in paragraph 3, *supra*, same bears Bates Stamp "0048897".

11. Attached hereto as Exhibit "3", is a true and correct copy of invoice 5450 dated January 16, 2015, which was obtained from the Shetel Parties' QuickBooks file.

12. Attached hereto as Exhibit "4", is a true and correct copy of the portion of the spreadsheets produced by the Shetel Parties and referenced in paragraph 3, *supra*, same bears Bates Stamp "0048992".

13. Attached hereto as Exhibit "5", is a true and correct copy of invoice 5898 dated March 9, 2015, which was obtained from the Shetel Parties' QuickBooks file.

14. Attached hereto as Exhibit "6", is a true and correct copy of the portion of the spreadsheets produced by the Shetel Parties and referenced in paragraph 3, *supra*, same bears Bates Stamp "0049021".

15. Attached hereto as Exhibit "7", is a true and correct copy of invoice 8088 dated November 3, 2015, which was obtained from the Shetel Parties' QuickBooks file.

16. Attached hereto as Exhibit “8”, is a true and correct copy of the portion of the spreadsheets produced by the Shetel Parties and referenced in paragraph 3, *supra*, same bears Bates Stamp “0049170”.

17. Attached hereto as Exhibit “9”, is a true and correct copy of invoice 8300 dated November 20, 2015, which was obtained from the Shetel Parties’ QuickBooks file.

18. Attached hereto as Exhibit “10”, is a true and correct copy of the portion of the spreadsheets produced by the Shetel Parties and referenced in paragraph 3, *supra*, same bears Bates Stamp “0049186”.

19. Attached hereto as Exhibit “11”, is a true and correct copy of invoice 10013 dated April 27, 2016, which was obtained from the Shetel Parties’ QuickBooks file.

20. Attached hereto as Exhibit “12”, is a true and correct copy of the portion of the spreadsheets produced by the Shetel Parties and referenced in paragraph 3, *supra*, same bears Bates Stamp “0049282”.

21. Attached hereto as Exhibit “13”, is a true and correct copy of invoice 7804 dated October 9, 2015, which was obtained from the Shetel Parties’ QuickBooks file.

22. Attached hereto as Exhibit “14”, is a true and correct copy of the portion of the spreadsheets produced by the Shetel Parties and referenced in paragraph 3, *supra*, same bears Bates Stamp “0049152”.

23. Attached hereto as Exhibit “15”, is a true and correct copy of invoice 4659 dated September 30, 2014, which was obtained from the Shetel Parties’ QuickBooks file.

24. Attached hereto as Exhibit “16”, is a true and correct copy of the portion of the spreadsheets produced by the Shetel Parties and referenced in paragraph 3, *supra*, same bears Bates Stamp “0048928”.

25. Attached hereto as Exhibit “17”, is a true and correct copy of invoice 11518 dated August 30, 2016, which was obtained from the Shetel Parties’ QuickBooks file.

26. Attached hereto as Exhibit “18”, is a true and correct copy of the portion of the spreadsheets produced by the Shetel Parties and referenced in paragraph 3, *supra*, same bear Bates Stamps “0049367-0049368”.

27. Attached hereto as Exhibit “19”, is a true and correct copy of invoice 10605 dated June 15, 2016, which was obtained from the Shetel Parties’ QuickBooks file.

28. Attached hereto as Exhibit “20”, is a true and correct copy of the portion of the spreadsheets produced by the Shetel Parties and referenced in paragraph 3, *supra*, same bears Bates Stamp “0049314”.

29. Attached hereto as Exhibit “21”, is a true and correct copy of invoice 8417 dated December 3, 2015, which was obtained from the Shetel Parties’ QuickBooks file.

30. Attached hereto as Exhibit “22”, is a true and correct copy of the portion of the spreadsheets produced by the Shetel Parties and referenced in paragraph 3, *supra*, same bears Bates Stamp “0049194”.

31. Attached hereto as Exhibit “23”, is a true and correct copy of invoice 4641 dated September 24, 2014, which was obtained from the Shetel Parties’ QuickBooks file.

32. Attached hereto as Exhibit “24”, is a true and correct copy of the portion of the spreadsheets produced by the Shetel Parties and referenced in paragraph 3, *supra*, same bears Bates Stamp “0048927”.

33. Attached hereto as Exhibit “25”, is a true and correct copy of invoice 5921 dated March 11, 2015, which was obtained from the Shetel Parties’ QuickBooks file.

34. Attached hereto as Exhibit “26”, is a true and correct copy of the portion of the spreadsheets produced by the Shetel Parties and referenced in paragraph 3, *supra*, same bears Bates Stamp “0049024”.

35. Attached hereto as Exhibit “27”, is a true and correct copy of invoice 10848 dated July 7, 2016, which was obtained from the Shetel Parties’ QuickBooks file.

36. Attached hereto as Exhibit “28”, is a true and correct copy of the portion of the spreadsheets produced by the Shetel Parties and referenced in paragraph 3, *supra*, same bears Bates Stamp “0049331”.

37. Attached hereto as Exhibit “29”, is a true and correct copy of invoice 6647 dated June 2, 2015, which was obtained from the Shetel Parties’ QuickBooks file.

38. Attached hereto as Exhibit “30”, is a true and correct copy of the portion of the spreadsheets produced by the Shetel Parties and referenced in paragraph 3, *supra*, same bears Bates Stamp “0049074”.

39. Attached hereto as Exhibit “31”, is a true and correct copy of invoice 6853 dated June 23, 2015, which was obtained from the Shetel Parties’ QuickBooks file.

40. Attached hereto as Exhibit “32”, is a true and correct copy of the portion of the spreadsheets produced by the Shetel Parties and referenced in paragraph 3, *supra*, same bears Bates Stamp “0049088”.

41. Attached hereto as Exhibit “33”, is a true and correct copy of invoice 10333 dated May 23, 2016, which was obtained from the Shetel Parties’ QuickBooks file.

42. Attached hereto as Exhibit “34”, is a true and correct copy of the portion of the spreadsheets produced by the Shetel Parties and referenced in paragraph 3, *supra*, same bears Bates Stamp “0049297”.

43. Attached hereto as Exhibit “35”, is a partial and correct copy of the transcript of the deposition of Jeremy Frenkel.

44. Attached hereto as Exhibit “36”, is a partial and correct copy of the transcript of the deposition of Jeremy Danzer.

45. Attached hereto as Exhibit “37”, is a partial and correct copy of the transcript of the deposition of Erez Cohen.

46. Attached hereto as Exhibit “38”, is a partial and correct copy of the transcript of the deposition of Ami Hantman.

47. Attached hereto as Exhibit “39”, is a true and correct copy of an email dated November 10, 2016, and bearing Bates’ Stamps “0035630-0035632”. This document was produced by the Shetel Parties in discovery.

48. Attached hereto as Exhibit “40”, is a true and correct copy of an email dated November 7, 2016 and bearing Bates’ Stamp “0035644”. Same was produced by the Shetel Parties in discovery. This document was also marked as Exhibit “D-93” in the deposition of Markus Weitz.

49. Attached hereto as Exhibit “41”, is a true and correct copy of an email dated September 15, 2016, bearing Bates’ Stamps “0003818-003825”, which the Shetel Parties produced in discovery. This document was also marked as Exhibit “D-9” in the deposition of Jacek Wollocko.

50. Attached hereto as Exhibit “42”, is a true and correct copy of an email dated October 10, 2016, bearing Bates’ Stamps “0004090-0004097”, which the Shetel Parties produced in discovery.

51. Attached hereto as Exhibit “43”, is a true and correct copy of an email dated October 20, 2016, bearing Bates’ Stamps “0004098-0004116”, which the Shetel Parties produced in discovery. This document was also marked as Exhibit “D-35” in the deposition of Jacek Wollocko.

52. Attached hereto as Exhibit “44”, is a true and correct copy of an email dated November 28, 2016, bearing Bates’ Stamps “0004117-0004122”, which the Shetel Parties produced in discovery.

53. Attached hereto as Exhibit “45”, is a true and correct copy of an email dated October 8, 2015, bearing Bates’ Stamps “0004989-0005002”, which the Shetel Parties produced in discovery. This document was also marked as Exhibit “D-133” in the deposition of Jenna Riservato.

54. Attached hereto as Exhibit “46”, is a true and correct copy of an email dated October 15, 2015, bearing Bates’ Stamps “0005111-0005136”, which was obtained from the Shetel Parties in discovery. This document was also marked as Exhibit “D-134” in the deposition of Jenna Riservato.

55. Attached hereto as Exhibit “47”, is a partial and correct copy of the transcript of the deposition of Jacek Wollocko.

56. Attached hereto as Exhibit “48”, is a true and correct copy of an email dated April 28, 2015, bearing Bates’ Stamps “0001496-0001523”, which the Shetel Parties produced in discovery.

57. Attached hereto as Exhibit “49”, is a true and correct copy of an email dated March 10, 2016, bearing Bates’ Stamps “0000772-0000800”, which the Shetel Parties produced in discovery.

58. Attached hereto as Exhibit “50”, is a true and correct copy of an email dated September 1, 2016, bearing Bates’ Stamps “0000858-0000891”, which the Shetel Parties produced in discovery.

59. Attached hereto as Exhibit “51”, is a true and correct copy of an email dated August 31, 2015, bearing Bates’ Stamps “0000707-0000734”, which the Shetel Parties produced in discovery.

60. Attached hereto as Exhibit “52”, is a true and correct copy of an email dated May 23, 2016, bearing Bates’ Stamps “0002344-0002358”, which the Shetel Parties produced in discovery.

61. Attached hereto as Exhibit “53”, is a true and correct copy of an email dated May 24, 2016, bearing Bates’ Stamps “0002359-0002386”, which the Shetel Parties produced in discovery.

62. Attached hereto as Exhibit “54”, is a true and correct copy of an email dated August 12, 2016, bearing Bates Stamps “0002445-0002454”, which the Shetel Parties produced in discovery.

63. Attached hereto as Exhibit “56”, is a true and correct copy of invoice 12837 dated February 20, 2017, which was obtained from the Shetel Parties’ QuickBooks file. This document was also marked as Exhibit “D-16” in the deposition of Jacek Wollocko.

64. Attached hereto as Exhibit “57”, is a true and correct copy of invoice 13503 dated June 21, 2017, which was obtained from the Shetel Parties’ QuickBooks file. This document was also marked as Exhibit “D-18” in the deposition of Jacek Wollocko.

65. Attached hereto as Exhibit “58”, is a true and correct copy of an email sent by Noam Besdin, Esq. to Matthew Ross, Esq. on May 1, 2019. This document was also marked as Exhibit “D-12” in the deposition of Jacek Wollocko.

66. Attached hereto as Exhibit “59”, is a true and correct copy of a spreadsheet the Shetel Parties with Exhibit 58, that purports to provide each catalog number, lot number, and invoice number for every product that Shetel and/or Osseogroup ever sold. The information for non-Adin products were redacted. Same bear Bates’ Stamps “00048776-0048882”.

67. Attached hereto as Exhibit “60”, is a true and correct copy of a second spreadsheet the Shetel Parties with Exhibit 58, that purports to provide each catalog number, lot number, and invoice number for every product that Shetel and/or Osseogroup ever sold. The information for non-Adin products were redacted. Same bear Bates’ Stamps “0048883-0049486”.

68. Attached hereto as Exhibit “61”, is a partial and correct copy of the transcript of the deposition of Chen Porat.

69. Attached hereto as Exhibit “62”, is a true and correct copy of an email dated February 11, 2012, bearing Bate Stamps “0035067-35069”. Same was produced by the Shetel Parties in discovery. This document was also marked as Exhibit “D-80” in the deposition of Markus Weitz.

70. Attached hereto as Exhibit “63”, is a true and correct copy of an email dated April 4, 2014, bearing Bates’ Stamp “0034867”. Same was produced by the Shetel Parties in discovery. This document was also marked as Exhibit “D-81” in the deposition of Markus Weitz.

71. Attached hereto as Exhibit “64”, is a true and correct copy of an email dated January 27, 2015, bearing Bates’ Stamp “0049500”. Same was produced by the Shetel Parties in discovery. This document was also marked as Exhibit “D-82” in the deposition of Markus Weitz.

72. Attached hereto as Exhibit “65”, is a true and correct copy of an email dated April 8, 2016, bearing Bates Stamps “0041180-0041182”. Same was produced by the Shetel Parties in discovery.

73. Attached hereto as Exhibit “66”, is a true and correct copy of an email dated March 8, 2016 and bearing Bates’ Stamp “0035046”. This document was produced by the Shetel Parties in discovery. This document was also marked as Exhibit “D-112” in the deposition of Jeremy Frenkel.

74. Attached hereto as Exhibit “67”, is a true and correct copy of an email dated July 5, 2011, bearing Bates Stamps “0005348-0005349”, which the Shetel Parties produced in discovery.

75. Attached hereto as Exhibit “68”, is a partial and correct copy of the transcript of the deposition of Eyal Milman.

76. Attached hereto as Exhibit “69”, is a partial and correct copy of the transcript of the deposition of Markus Weitz.

77. Attached hereto as Exhibit “70”, is a partial and correct copy of the transcript of the deposition of Jenna Riservato.

78. Attached hereto as Exhibit “71”, is a true and correct copy of an email, dated May 24, 2011, bearing the Bates’ Stamp “0035066”. The Shetel Parties produced same in discovery. This document was also marked as Exhibit “D-79” in the deposition of Markus Weitz.

79. Attached hereto as Exhibit “72”, are true and correct copies of the K-1 forms for Shetel from 2012 through 2018. These documents bear Bates’ Stamps “0049501-0049756”. The Shetel Parties produced same in discovery.

80. Attached hereto as Exhibit “73”, is a true and correct copy of a Tax Impact Notice for 123 Grove Avenue, Cedarhurst, New York, available at <https://lrv.nassaucountyny.gov/notices/taximpact.php?pid=39254++01050>. A copy of which was last retrieved by the undersigned counsel on July 1, 2019.

81. Attached hereto as Exhibit “74”, are true and correct copies of a correspondence from the Internal Revenue Service assigning an employer identification number to Shetel and limited liability company operating agreement. Same were produced by the Shetel Parties in discovery as one document. These documents bear Bates Stamps “0045771-0045777”. This document was also marked as Exhibit “D-98” in the deposition of Jeremy Frenkel.

82. Attached hereto as Exhibit “75”, is a true and correct copy of the New York Department of State Entity Information form for 123 Grove LLC, available at https://appext20.dos.ny.gov/corp_public/CORPSEARCH.ENTITY_INFORMATION?p_token=B5A953D4276CC622859F621EEE99EEF9C715953A339D427E805D87BB1F77D128570A623C1DF909EFF9886E2E99B62B44&p_nameid=2986B79BF6B675E9&p_corpid=B36F239BCA79E74&p_captcha=14486&p_captcha_check=B5A953D4276CC622859F621EEE99EEF9C715953A339D427E805D87BB1F77D1282A16A233409040E45A5D4C55FAEFAB0C&p_entity_name=%31%32%33%20%47%72%6F%76%65&p_name_type=%41&p_search_type=%42%45%47%49%4E%53&p_srch_results_page=0. A copy of which was retrieved by the undersigned counsel on June 13, 2019.

83. Attached hereto as Exhibit “76”, is a true and correct copy of an email dated September 19, 2016, bearing Bates Stamps “0044745-0044748”, which was produced by the Shetel Parties in discovery. This document was also marked as Exhibit “D-56” in the deposition of Markus Weitz.

84. Attached hereto as Exhibit “77”, is a true and correct copy of a Balance Sheet dated February 10, 2017, which was obtained from the Shetel Parties’ QuickBooks file.

85. Attached hereto as Exhibit “78”, is a true and correct copy of a Balance Sheet extracted from the Shetel Parties’ QuickBooks file that reflects all transactions from inception until January 18, 2019.

86. Attached hereto as Exhibit “79”, is a true and correct copy of the New York Department of State Entity Information form for Shetel Industries LLC, available at https://appext20.dos.ny.gov/corp_public/CORPSEARCH.ENTITY_INFORMATION?p_token=663D19D3592B6B041902C2D29F885095B24D6713123D7A57415E8F9670A379230B5475BF0387737506A43461B327167E&p_nameid=7A1DF8D6278F0BA5&p_corpid=9E1CA9C83EF4A221&p_captcha=19749&p_captcha_check=663D19D3592B6B041902C2D29F885095B24D6713123D7A57415E8F9670A37923EC37C832BFDA58D97B8BF34D1F5DCD01&p_entity_name=%53%68%65%74%65%6C&p_name_type=%41&p_search_type=%42%45%47%49%4E%53&p_srch_results_page=0. A copy of same was retrieved by the undersigned counsel on May 15, 2019. This document was also marked as Exhibit “D-79” in the deposition of Markus Weitz.

87. Attached hereto as Exhibit “80”, is a true and correct copy of the New York Department of State Entity Information form for Osseogroup LLC, available at https://appext20.dos.ny.gov/corp_public/CORPSEARCH.ENTITY_INFORMATION?p_token=715D2392075AAC6CDAC9CF542A05F5464FB389D880C642BCDA518FE9B7DA73DE30DE6CE79F5F9E4CC5163C6DA9A08A80&p_nameid=3D93FE5DA5BF607F&p_corpid=F36700EAA4A1BB11&p_captcha=13623&p_captcha_check=715D2392075AAC6CDAC9CF542A05F5464FB389D880C642BCDA518FE9B7DA73DE5DE8457800F17C19CB32F67409A80249

[&p_entity_name=%4F%73%73%65%6F%67%72%6F%75%70&p_name_type=%41&p_search_type=%42%45%47%49%4E%53&p_srch_results_page=0](#). A copy of same was retrieved by the undersigned counsel on June 14, 2019.

88. Attached hereto as Exhibit “81”, is a true and correct copy of an email dated October 23, 2012, and bearing Bates Stamps “0032875-0032876”. Same was produced by the Shetel Parties in discovery. This document was also marked as Exhibit “D-49” in the deposition of Markus Weitz.

89. Attached hereto as Exhibit “82”, is a true and correct copy of an email dated January 14, 2013 and bearing Bates Stamps “0016321-0016325”. Same was produced by the Shetel Parties in discovery. This document was also marked as Exhibit “D-49” in the deposition of Markus Weitz.

90. Attached hereto as Exhibit “84”, is a true and correct copy of Shetel’s Responses and Objections to Defendant Adin Dental Implant Systems, Inc.’s Request for the Production of Documents.

91. Attached hereto as Exhibit “85”, is a true and correct copy of a Profit & Loss Comparison obtained from the Shetel Parties’ QuickBooks file for January 1, 2013 through December 31, 2013. This document was marked as Exhibit “D-85” in deposition of Markus Weitz.

92. Attached hereto as Exhibit “86”, is a true and correct copy of a Profit & Loss Comparison obtained from the Shetel Parties’ QuickBooks file for January 1, 2014 through December 31, 2014. This document was marked as Exhibit “D-86” in deposition of Markus Weitz.

93. Attached hereto as Exhibit “87”, is a true and correct copy of a Profit & Loss Comparison obtained from the Shetel Parties’ QuickBooks file for January 1, 2015 through December 31, 2015. This document was marked as Exhibit “D-87” in deposition of Markus Weitz.

94. Attached hereto as Exhibit “89”, is a true and correct copy of a Lifetime Warranty offered by Adin. This document bears Bates’ Stamp “0026503”. The Shetel Parties produced this document in discovery. This document was also marked as Exhibit “D-71” in deposition of Markus Weitz.

95. Attached hereto as Exhibit “90”, are true and correct copies of an email dated June 23, 2011, a document entitled, “Agreement for Purchase, Marketing and Distribution of Products”; a document entitled, “Lifetime Warranty”; a document entitled bearing the subtitle, “Adin Dental Implants System Ltd. (“ADIN”) – AdinUSA (“Distributor”), Draft distribution agreement – suggested commercial changes”; and document bearing the file name “Regulatory Annex.docx”. Same bear Bates Stamps “0026483-26507”. The Shetel Parties produced these documents as one file in discovery. These documents were also marked as Exhibit “D-71” in deposition of Markus Weitz.

96. Attached hereto as Exhibit “91”, are true and correct copies of an email dated April 30, 2013, along with attachments named “IFU Cleaning & Sterilization Prosthetics Instructions R1 PRINT.pdf”; “MKT-IPGA-EN-0912-R1 PRINT.pdf;” TitanFit Plastic Abutments PRINT.pdf”; and “Surgical Prosthetic Tool Kit PRINT.pdf”. Same bear Bates Stamps “0016691-0016699”. The Shetel Parties produced same in discovery.

97. Attached hereto as Exhibit “92”, are true and correct copies of an email dated July 27, 2015, and attachments named, “2015 Touareg-S Price List.pdf”; “Drills and Stoppers

Brochure.pdf”; “Scientific Studies.pdf”; “TMA Brochures.pdf”; and “Touareg-S Brochure.pdf”. These documents bear Bates Stamps “0000644-0000672”. The Shetel Parties produced these documents in discovery as one file. These documents were also marked as Exhibit “D-135” in deposition of Jenna Riservato.

98. Attached hereto as Exhibit “93”, are true and correct copies of an email dated August 12, 2016, and attachments named, “Drills and Stoppers Brochure LOW (1).pdf”; “DentalSellSheet (Bone) (2).pdf”; “DentalSellSheet (Membrane) (3).pdf”; “InformativeSheet (1).pdf”; and “Touareg-S_Final (New).pdf”. These documents bear Bates Stamps “0002445-0002454”. The Shetel Parties produced these documents in discovery as one file.

99. Attached hereto as Exhibit “94”, are true and correct copies of an email dated September 13, 2016, and attachments named, “Touareg-S_Final (New) (1).pdf”; “Scientific Studies - Vol.2 LOW (3).pdf”; “2016 Touareg-S Price List (6).pdf”; “InformativeSheet (4).pdf”; “DentalSellSheet (Membrane) (6).pdf”; “DentalSellSheet (Bone) (5).pdf”. These documents bear Bates Stamps “0002543-0002565”. The Shetel Parties produced these documents in discovery as one file. These documents were also marked as Exhibit “D-136” in deposition of Jenna Riservato.

100. Attached hereto as Exhibit “97”, is a true and correct copy of the portion of the spreadsheets produced by the Shetel Parties and referenced in paragraph 3, *supra*, same bears Bates Stamp “0049470”. This document was also marked as Exhibit “D-19” in deposition of Jacek Wollocko.

101. Attached hereto as Exhibit “98”, is a true and correct copy of an email chain dated April of 2014 and April of 2017, bearing Bates Stamps “0032636-32637”. Same was produced by the Shetel Parties in discovery. This document was also marked as Exhibit “D-76” in deposition of Markus Weitz.

102. Attached hereto as Exhibit “99”, is a true and correct copy of a report obtained from the Shetel Parties’ QuickBooks file, which reflects all sales of Tic-Tak kits as recorded in said file.

103. Attached hereto as Exhibit “100”, are true and correct copies of an email dated February 15, 2016, and attachments entitled, “Touareg-S_Final (New).pdf”; “NP Brochure (New).pdf”; “DentalSellSheet (Bone).pdf”; “DentalSellSheet (Membrane).pdf”; “2016 Touareg-S Price List (1).pdf”; “NP Price List (FOR INTERNAL USE ONLY -- DO NOT SEND TO CUSTOMERS).pdf”; “Scientific Abstracts Vol. 1.pdf”; “Scientific Studies - Vol.2 LOW.pdf”. Same bear Bates Stamps “0003693-3727”. These documents were produced by the Shetel Parties in discovery as one file. These documents were also marked as Exhibit “D-34” in deposition of Jacek Wollocko.

104. Attached hereto as Exhibit “101”, is a true and correct copy of the page bearing Bates’ Stamp “0003705”, which was produced by the Shetel Parties in discovery.

105. Attached hereto as Exhibit “102”, is a true and correct copy of the document bearing Bates Stamp “0003707”, which was produced by the Shetel Parties in discovery.

106. Attached hereto as Exhibit “103”, is a true and correct copy of an image of a Tic-Tak, bearing Bates’ Stamp “AdinMay102019Production000005”, which was produced by Defendants in discovery.

107. Attached hereto as Exhibit “104”, is a true and correct copy of an email dated April 5, 2017, bearing Bates’ Stamp 0037833, which was produced by the Shetel Parties in discovery.

108. Attached hereto as Exhibit “105”, is a true and correct copy of invoice 4187 dated July 18, 2014, which was obtained from the Shetel Parties’ QuickBooks file. This document was also marked as Exhibit “D-109” in deposition of Jeremy Frenkel.

109. Attached hereto as Exhibit “107”, are true and correct copies of an email dated June 2, 2017, and an attachment to same entitled, “Statement1_from_Shetel_Industries3520.pdf”. Same bear Bates Stamps “0004123-0004124”. These documents were produced by the Shetel Parties in discovery as one file. These documents were also marked as Exhibit “D-126” in the deposition of Jenna Riservato.

110. Attached hereto as Exhibit “108”, is a true and correct copy of the records of distributions and contributions made by Markus Weitz to Shetel from January 1, 2011 to June 13, 2019. Same was obtained from the Shetel Parties’ QuickBooks file.

111. Attached hereto as Exhibit “109”, are true and correct copies of an email dated October 17, 2011, and an attachment entitled, “meeting 11 17 11.pdf”. Same bear Bates Stamps “0005621-0005624”. These documents were produced by Shetel Parties in discovery as one file. These documents were also marked as Exhibit “D-68” in the deposition of Markus Weitz.

112. Attached hereto as Exhibit “110”, is a true and correct copy of the homepage for South Island Periodontics & Implantology available at www.sipipc.com. Same was retrieved by the undersigned on June 11, 2019.

113. Attached hereto as Exhibit “111”, is a true and correct copy of a Tax Impact Notice for 6547 Central Avenue, Cedarhurst, New York 11516, available at <https://lrv.nassaucountyny.gov/notices/taximpact.php?pid=39255++00090>. A copy of which was last retrieved by the undersigned counsel on July 1, 2019.

114. Attached hereto as Exhibit “112”, is a true and correct copy of the New York Department of State Entity Information form for 657 Central Owner LLC, available at https://appext20.dos.ny.gov/corp_public/CORPSEARCH.ENTITY_INFORMATION?p_token=2D2256389B17D25D2668DBA2803B91A15C14188C2A015B47B57C9AC16F861C984174C

E24F8C82619BF69F54885383BF2&p_nameid=ACA069E284C29D64&p_corpid=ACD10F2D
C9706EA0&p_captcha=18133&p_captcha_check=2D2256389B17D25D2668DBA2803B91A1
5C14188C2A015B47B57C9AC16F861C98BD9D9F90D38CA2A01AE8B81CEC40FD21&p_e
ntity_name=%36%35%37%20%43%45%4E%54%52%41%4C%20%4F%57%4E%45%52%20
%4C%4C%43&p_name_type=%41&p_search_type=%42%45%47%49%4E%53&p_srch_resul
ts_page=0. Same was last retrieved by the undersigned counsel on June 12, 2019.

115. Attached hereto as Exhibit “113”, is a true and correct copy of the records of distributions and contributions made by Jeremy Frenkel to Shetel from January 1, 2011 to June 13, 2019. Same was obtained from the Shetel Parties’ QuickBooks file. This document was also marked as Exhibit “D-100” in the deposition of Jeremy Frenkel.

116. Attached hereto as Exhibit “114”, is a true and correct copy of the WHOIS search results for www.AdinImplants.com, which are available at https://www.godaddy.com/whois/results.aspx?domain=adinimplants.com&recaptchaResponse=03AOLTBLTua4CYXbXgSH90DbY5p3QHCWjixTpt7vCdVu6RxxzllIG3SZMo4zfKnAoDY-GulgXznrJfv_bJbPdUhFi5-fU0BqejSPruYZsWp6gkd8CeeOQSenYf_LvyJTwtVAwEXrlXOPqcPMjMNGq4cp1QqeWJABcWqTLYhCo1DFzpVQcNnUzjxF_eyX_tSnvEAIZU8AIRZ6GSdBZPZCPCN5jMN6v_F544BqfpFWj5X2FHSjDQL1Gm_YLPQ_Oimu8m3h9fdFVWrklYzI2psVJvN0BTD9cdfI0mHSMOxyRWSDV9vATLefM876T-Nb94anIN8rlrMjG5GKZXxx. Same was retrieved by the undersigned counsel on June 21, 2019.

117. Attached hereto as Exhibit “118” is a true and correct copy of a photograph taken by Jeremy Danzer. Same was produced by Defendants in discovery and bears Bates’ Stamp

“AdinJan302019Production000002”. This document was also marked as “Exhibit 2” in the deposition of Ami Hantman during the January 31, 2019 session.

118. Attached hereto as Exhibit “119” is a true and correct copy of Defendant Adin Dental Implant Systems, Inc.’s Request for the Production of Documents Addressed to Plaintiff Shetel Industries LLC.

119. Attached hereto as Exhibit “120” is a true and correct copy of an email chain between August 31, 2016 and September 4, 2016, and bears Bates’ Stamps “0033640-33645”. Same was produced by the Shetel Parties in discovery. This document was also marked as Exhibit “D-67” in the deposition of Jeremy Frenkel.

120. Attached hereto as Exhibit “121” is a true and correct copy of an email chain dated September 18, 2016, and bearing Bates’ Stamps “0032362-32364”. Same was produced by the Shetel Parties in discovery. This document was also marked as Exhibit “D-56” in the deposition of Markus Weitz.

121. Attached hereto as Exhibit “122” are true and correct copies of an email chain dated February 15, 2016, and an attachment on the letterhead of “Yaniv Levyatan, Ph.D., Strategic Consulting”. Same bear Bates’ Stamps “0029679-29681”. Same was produced by the Shetel Parties in discovery as one file.

122. Attached hereto as Exhibit “123” are true and correct copies of an email chain dated February 15, 2016 through February 16, 2016. Same bear Bates’ Stamps “0029682-29683”. Same was produced by the Shetel Parties in discovery.

123. Attached hereto as Exhibit “124” is a true and correct copy of an email chain dated July 20, 2017. Same bear Bates’ Stamps “0045701-45704”. Same was produced by the Shetel

Parties in discovery. This document was also marked as Exhibit “D-32” in the deposition of Jacek Wollocko.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Tenaflly, New Jersey
July 1, 2019

/s/Matthew J. Ross
Matthew J. Ross